

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 11
)	
NACHSHON DRAIMAN)	Case No. 09-17582
)	Hon. John H. Squires
)	Hearing Time: 9:30 a.m.
Debtor.)	Hearing Date: January 25, 2011

NOTICE OF APPLICATION

To: See Attached Service List

PLEASE TAKE NOTICE that on January 25, 2011 at 9:30 a.m. or as soon thereafter as counsel may be heard, we shall appear before the Honorable John H. Squires, Bankruptcy Judge, or any judge sitting in his stead, in Courtroom 680, United States Bankruptcy Court, 219 S. Dearborn, Chicago, Illinois and present a **SUPPLEMENT TO FIRST AND FINAL APPLICATION FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES OF RALPH, SCHWAB & SCHIEVER, CHARTERED, DEBTOR'S INITIAL GENERAL BANKRUPTCY COUNSEL**, a copy of which is attached hereto and is herewith served upon you, and shall pray for the entry of an Order in compliance therewith, a draft of which Order is attached hereto and is herewith served upon you.

By: /s/ Michael L. Ralph, Sr.

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that I caused a true and correct copy of the foregoing Notice of Motion and **SUPPLEMENT TO FIRST AND FINAL APPLICATION FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES OF RALPH, SCHWAB & SCHIEVER, CHARTERED, DEBTOR'S INITIAL GENERAL BANKRUPTCY COUNSEL** identified therein to be served upon the persons listed on the following Service List via the CM/ECF electronic filing system, and First Class U.S. Mail by depositing same in the U.S. Mail collection box at 175 E. Hawthorn Parkway, Vernon Hills, Illinois prior to 5:00 p.m., on January 18, 2011.

/s/ Michael L. Ralph, Sr.

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**SUPPLEMENT TO FIRST AND FINAL APPLICATION FOR ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES OF
RALPH, SCHWAB & SCHIEVER, CHARTERED,
DEBTOR'S INITIAL GENERAL BANKRUPTCY COUNSEL**

Ralph, Schwab & Schiever, Chartered, initial general bankruptcy attorneys for Nachshon Draiman (Debtor), pursuant to §§330 and 331 of the United States Bankruptcy Code ("Code"), requests the entry of a supplemental order allowing and directing the Debtor to pay Ralph, Schwab & Schiever, Chartered ("RSS") forthwith an award of \$6,475.00 as compensation for 26.40 hours of legal services rendered and incurred in connection with its legal services. This is being requested as a supplement to RSS' first and final application for compensation and reimbursement of expenses in this case from its commencement on May 14, 2009 through November 12, 2009, the date of the entry of an Order granting RSS' Motion To Withdraw as General Bankruptcy Counsel for the Debtor.

1. On November 4, 2010 RSS presented its First and Final Application for Compensation and Reimbursement of Expenses ("Application").
2. Upon review of said Application this Court entered an order on November 9, 2010 awarding RSS \$136,099.75 for the actual, necessary and valuable professional services rendered to the Debtor during RSS' representation

of the Debtor, and \$6,766.54 as reimbursement for RSS' actual and necessary expenses incurred in connection with such services ("November 9, 2010 Order").

3. Pursuant to the November 9, 2010 Order, this Court also provisionally denied RSS compensation in the amount of \$8,542.50 ("Provisionally Denied Compensation"), but granted RSS leave to file a supplement to its Application in order to provide further explanation supporting RSS' request for approval of said provisionally denied compensation amount.

4. This Court has stated on the record on several occasions that this is a complicated case due to the Debtor's multiple business ventures, ownership or management interests in approximately thirty-seven (37) separate business entities (see the Amended Exhibit to Question 18 of the Debtor's Statement of Financial Affairs), and the perpetually contested nature of all proceedings in this case.

5. Due to the large number of business ventures, entity and management interests and the large number of factual and legal issues related thereto, RSS undertook the representation of the Debtor through a divided assignment approach. RSS divided said work among several of its professionals to the greatest extent possible in order to minimize the duplication of services and cost to the Debtor, and to promote the efficient resolution of the myriad factual and legal issues faced by the Debtor to the greatest extent possible.

6. Those time entries comprising the portion of the Provisionally Denied Compensation that RSS is now asking this Court to reconsider and approve are one of two types of conferences which occurred either between

multiple RSS professionals on the one hand and professionals of RSS and the Debtor on the other hand: a.) conferences in which participation by more than one RSS professional was deemed necessary by RSS and the Debtor to access the factual or legal knowledge previously acquired by an RSS professional as a result of performing their independently tasked assignments, and which knowledge was then unknown to the other RSS professionals but was essential to the other RSS professionals who were addressing another factual or legal task at issue in the case ("Conference Category A"); or b.) conferences which were necessary in order for the RSS professionals to meet and confer after the completion of their independently tasked work as needed to complete required factual investigation, legal research, draft pleadings, motions or other court documents at issue in the case ("Conference Category B").

7. Upon review of the billing statements attached to the Application as Group Exhibit A, RSS seeks approval of \$6,475.00 of the Provisionally Denied Compensation as compensation for 26.40 hours of legal services rendered and incurred in connection with its legal services for the reasons set forth below. The time entries comprising the amount set forth in this paragraph 7 have been extracted from Group Exhibit A to the Application and are set forth on **Exhibit A** attached hereto and incorporated herein and the reason for said conference noted with either a Conference Category "A" or "B" designation.

8. Accordingly, in those circumstances in which multiple RSS professionals participated in such a conference, the participation was deemed necessary for the efficient and economical representation of the Debtor due to

the complicated nature of the Debtor's business ventures and interests, and the perpetually contested nature of all proceedings in this case.

WHEREFORE, Ralph, Schwab & Schiever, Chartered, respectfully requests an entry of an Order:

1. Authorizing and Directing Debtor to pay forthwith to Ralph, Schwab & Schiever, Chartered as supplemental compensation in the amount of \$6,475.00 for the actual, necessary and valuable professional services rendered to the Debtor during the period from May 14, 2009 through November 12, 2009, the date of an entry of an Order granting Ralph, Schwab & Schiever, Chartered's Motion to Withdraw as Counsel for the Debtor from the Deposit Account established pursuant to the October 14, 2010 Order and modified pursuant to the Order entered as a result of the November 15, 2010 hearing.

2. Determining that this award constitutes a supplement to the first and final application compensation to Ralph, Schwab & Schiever, Chartered for professional services rendered to the Debtor in this case; and

3. For such other and further relief as this Court deems appropriate.

Respectfully submitted by

RALPH, SCHWAB & SCHIEVER,
CHARTERED

By: /s/ Michael L. Ralph, Sr.
One of Its Attorneys

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